

2001 No. 54

NURSES, MIDWIVES AND HEALTH VISITORS

**The Nurses, Midwives and Health Visitors (Professional
Conduct) (Amendment) Rules 2001 Approval (Scotland)
Order 2001**

Made

26th February 2001

Coming into force

1st March 2001

The Scottish Ministers, in exercise of the powers conferred by section 19(5) of the Nurses, Midwives and Health Visitors Act 1997(a) and of all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Nurses, Midwives and Health Visitors (Professional Conduct) (Amendment) Rules 2001 Approval (Scotland) Order 2001 and shall come into force on 1st March 2001.

(2) This Order extends to Scotland only.

Approval

2. The Nurses, Midwives and Health Visitors (Professional Conduct (Amendment) Rules 2001, as set out in the Schedule to this Order, are hereby approved.

SUSAN C DEACON

A member of the Scottish Executive

St Andrew's House,
Edinburgh
26th February 2001

(a) 1997 c.24. The functions of the Lord Advocate were transferred to the Secretary of State by virtue of the Transfer of Functions (Lord Advocate and Secretary of State) Order 1999 (S.I. 1999/678), article 2(1) and the Schedule. The functions of Ministers of the Crown in or as regards Scotland were transferred to the Scottish Ministers by virtue of the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 (S.I. 1999/1750), article 2 and Schedule 1.

SCHEDULE

THE NURSES, MIDWIVES AND HEALTH VISITORS (PROFESSIONAL CONDUCT) (AMENDMENT) RULES 2001

The United Kingdom Central Council for Nursing, Midwifery and Health Visiting, in exercise of the powers conferred on it by section 10 of the Nurses, Midwives and Health Visitors Act 1997(a), hereby makes the following rules—

Citation and Interpretation

1.—(1) These rules may be cited as the Nurses, Midwives and Health Visitors (Professional Conduct) (Amendment) Rules 2001.

(2) For the purposes of these rules “the Professional Conduct rules” means the Nurses, Midwives and Health Visitors (Professional Conduct) Rules 1993(b).

Amendment of the Professional Conduct rules

2.—(1) The Professional Conduct rules shall be amended in accordance with the following paragraphs of this rule.

(2) In rule 7(5) (Preliminary Proceedings Committee) for the number “3” there shall be substituted the number “2”.

(3) In rule 12(2) (Professional Conduct Committee) for the word “three” there shall be substituted the word “two”.

(4) In rule 29 (Health Committee)—

(a) in paragraph (1) the word “comprise” shall be deleted and shall be replaced by the word “include”;

(b) in paragraph (5)—

(i) the word “members” shall be deleted, and

(ii) after the second use of the word “chairman” there shall be added the words “, who shall be a member of the Council,”.

(c) for paragraph (6) there shall be substituted the following—

“(6) The Health Committee shall be quorate if at least 2 members of the Council constitute a majority of those considering a particular case.”.

(3) In rule 30 (Appointment of persons to conduct initial consideration of cases) paragraph (1) the words “its members to be” shall be deleted.

GIVEN under the Official Seal of the
UNITED KINGDOM CENTRAL
COUNCIL FOR NURSING, MIDWIFERY
AND HEALTH VISITING this 1st
day of February 2001.

Alison Norman
President

Sue Norman
Chief Executive/Registrar

(a) 1997 c.24.

(b) S.I. 1993/893 to which there are amendments not relevant to these rules.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which extends to Scotland only, approves the Nurses, Midwives and Health Visitors (Professional Conduct) (Amendment) Rules 2001 (“the 2001 Rules”), which are set out in the Schedule.

The 2001 Rules amend Rules 29 and 30 of the Nurses, Midwives and Health Visitors (Professional Conduct) Rules 1993 (as set out in the Schedule to S.I. 1993/893).

Rule 29 is amended to allow the Health Committee of the United Kingdom Central Council for Nursing, Midwifery and Health Visiting to be made up of members who are members of the Council and non-Council members. Consequent changes are made to provide that no person who is not a member of the Council shall be appointed chairman of the Health Committee in the absence of the chairman or any of the deputies, and to provide that the Health Committee, Preliminary Proceedings Committee, and Professional Conduct Committee are quorate if at least 2 members of the Council constitute a majority.

Rule 30 is amended to remove the restriction upon the Council which prevented it from choosing professional screeners who are not its members.

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